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## Attorneys for Respondents

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

SUSAN "SHELLY" SMITH, and  
XIAO FEI "EDDY" ZHENG,

No. C 05-5375 SBA

Petitioners,

V.

## **STIPULATION TO DISMISS; AND ORDER**

DAVID STILL, in his Official Capacity, District Director, Bureau of Citizenship and Immigration Services, United States Department of Homeland Security, San Francisco, California; ROBERT C. DIVINÉ, in his Official Capacity, Acting Director, Bureau of Citizenship and Immigration Services, United States Department of Homeland Security, and MICHAEL CHERTOFF, in his Official Capacity, Secretary, United States Department of Homeland Security,

## Respondents.

23 Petitioners, by and through their attorney of record, and Respondents, by and through their  
24 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the action  
25 in light of the adjudication of Petitioners' relative visa petition.

26 Each of the parties shall bear their own costs and fees.

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1 Date: February 13, 2006

Respectfully submitted,

2 KEVIN V. RYAN  
3 United States Attorney

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5 /s/  
6 ILA C. DEISS  
7 Assistant United States Attorney  
8 Attorneys for Respondents

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10 Date: February 13, 2006

11 /s/  
12 MARC VAN DER HOUT  
13 ZACHARY NIGHTINGALE  
14 Attorneys for Petitioners

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17 **ORDER**

18 Pursuant to stipulation, IT IS SO ORDERED.

19 Date: 2/14/06

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21 SAUNDRA BROWN ARMSTRONG  
22 United States District Judge

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